

SENATE WATCH

A summary of today's Senate actions; published daily when the Senate is in session.

10/7/03

FINAL PASSAGE

HB 4457 (Rocca)

House Bill 4457 would revise the parking brake requirement for all parked cars. This bill would change the law to allow a person to either engage a parking brake <u>or</u> place the vehicle in park when parking. Apparently there have been reports of a police officer in Macomb County ticketing parked cars for not engaging the parking brake. This bill would correct that problem. Support: Michigan State Police.

• HB 4457 passed with IE [RC 439: 36 yes, 0 no].

THIRD READING

SBs 46-7 (Patterson) SB 568 (Patterson)

ENVIRONMENTAL PROTECTION: WATER POLLUTION

<u>Senate Bill 46</u> would increase penalties for violations of the state's water pollution law. The bill would raise the civil fine floor of \$2,500 to \$5,000 and raise the ceiling from \$25,000 to \$50,000 per day of violation. Support: Detroit Riverkeeper, Sierra Club, MEC.

- Committee 1 (S-2) was defeated [no RC]. Birkholz stated the substitute S-3 was a better version of the bill.
- Patterson 2 (S-3) was adopted [no RC]. This would strengthen the language used to define the criminal offense of "catastrophic discharge" to any intentional or grossly negligent spilling, leaking, etc. The civil offense does not change but remains substantial endangerment.
- Gilbert 2A was adopted [no RC]. This would penalize those who fail to report pollution discharges when they have a legal obligation to report such discharges.
- SB 46 was moved to 3rd Reading.

<u>Senate Bill 47</u> would make the technical changes necessary in order to increase the penalties for polluting Michigan waters.

- Patterson 1 (2 amends) was withdrawn.
- Patterson 2 (S-1) was adopted [no RC].
- SB 47 was moved to 3rd Reading.

<u>Senate Bill 568</u> would allow for a \$10,000 award to be given to a person who provides information that contributes to the assessment of a civil fine for environmental violations. Support: MEC, Sierra Club.

- Patterson 1 (S-1) was adopted [no RC]. This require that any person who knowingly gives false information will pay the expenses incurred by the department and the expenses incurred by the person whom the information was used against.
- Senate Bill 568 was moved to 3rd Reading.

SB 221 (Garcia)

Senate Bill 221 would specify that individuals who possess a CCW permit would be allowed to carry or transport their pistol, whether concealed or not, in an area frequented by wild animals. Currently, a person is prohibited from carrying or transporting a firearm in any area frequented by wild animals unless that person has an appropriate hunting license. This bill does not authorize the use of a pistol for hunting purposes.

• SB 221 was moved to 3rd Reading. No amendments.

SB 508 (Sanborn) SB 511 (Sanborn)

Senate Bill 508 would add the penalties created in SB 511 to the state's Sentencing Guidelines.

- Committee 1 (S-2) was adopted [no RC].
- SB 508 was moved to 3rd Reading.

<u>Senate Bill 511</u> creates criminal penalties for a person responsible for disposing of human remains (i.e. funeral home) who fails to properly dispose of such remains within a reasonable time after the death of another person.

- Committee 1 (S-1) was adopted [no RC].
- SB 511 was moved to 3rd Reading.

HB 4599 (Richardville)

House Bill 4599 would repeal local acts which prohibit hunting on Sunday in Tuscola, Lenawee, Hillsdale, and St. Clair County on lands that belong to another person. Support: DNR, MI Coalition for Responsible Gun Owners, MUCC, Hunting Dog Federation.

- Committee 1 (S-1) was adopted [no RC].
- Basham 2 (S-2) was defeated [no RC]. This would require local voter approval before these hunting bans are repealed.
- HB 4599 was moved to 3rd Reading.

RESOLUTIONS

SR 134 (Patterson) SCR 29 (Patterson)

Michigan had a state law that allowed local government to enact laws concerning the regulation of railroad traffic, speed and length of trains. However, the courts have struck this law down because it is an issue of interstate commerce and thus traffic stoppages at railroad crossings can only be regulated by the Federal

Government. This resolution calls on Congress to attend to the problem of traffic stoppages at railroad crossings.

SR 134:

- Patterson 1 was adopted [no RC]. Technical addition: Adds the U.S. Senate to the resolution.
- SR 134 was adopted [no RC].

SCR 29:

- Patterson 1 was adopted [no RC]. Technical addition: Adds the U.S. Senate to the resolution.
- SCR 29 was adopted [no RC].

SR 127 (Cropsey)

This resolution would memorialize the United States Senate and Michigan's United State Senators to act to begin the confirmation hearings on the Michigan nominees to the United States 6th Circuit Court of Appeals. This would ask Senators Levin and Stabenow to cease procedural actions that are blocking a number of President Bush's nominees for the United States 6th Circuit Court of Appeals.

- Committee 1 was adopted [no RC]. This updates the resolution.
- Schauer 2 (S-1) was defeated [RC 440: 15 yes, 22 no]. This attempts to find a bipartisan solution: This would call on a bipartisan commission to help determine judicial nominees.
- SR 127 was adopted [RC 441: 22 yes, 15 no]. DEMS opposed: The resolution is a purely partisan attempt to blame two Democratic Senators for a situation that was caused by the partisan behavior of the Republican Senate during Bill Clinton's presidency. The resolution fails to note that the all-time record for a judicial nominee languishing without Senate action belongs to Helene White, a state appeals court judge in Michigan. A January 1997 appointee of Bill Clinton, she waited more than four years, only to have her nomination wither away by intentional neglect in the Republican-controlled Senate.